

REAL ESTATE COUNCIL OF ALBERTA
NOTICE OF ADMINISTRATIVE PENALTY

To: Jasen Courtepatte, Agent
RE/MAX Excellence Real Estate Edmonton LTD.
17718 - 64 Avenue
Edmonton, AB T5T 4J5

In accordance with Section 83 and the Bylaws of the *Real Estate Act* (hereinafter the "Act"), the Executive Director of the Real Estate Council of Alberta is of the opinion that Jasen Courtepatte (hereafter "Courtepatte") agent with Re/Max Excellence Real Estate Edmonton Ltd. has contravened s. 15(3)(f) of Rules made pursuant to the Act and hereby assesses an Administrative Penalty in the amount of **\$1000.00**. The evidence giving rise to the Executive Director's decision is as follows:

On October 15, 2003, Courtepatte was convicted of the offence of Driving While Under the Influence of Alcohol. Courtepatte did not report this conviction to his broker until in or around April 2004 and at no time did Courtepatte report this conviction in writing to the Executive Director.

Rule 15(3)(f) provides:

A licensee must **immediately** notify, in writing, the Executive Director when

(f) the licensee is convicted of any criminal offence or any other offence under any law of any country, province or state, excluding provincial or municipal highway traffic offences resulting in monetary fines only.

In accordance with section 39 and 83 of the Act and Part 4 of the Bylaws of the Act the Executive Director believes Courtepatte contravened Rule 15(3)(f) of the Act and hereby assesses an Administrative Penalty in the amount of **\$1000.00**.

Payment of this Administrative Penalty shall be accepted by the Executive Director as complete satisfaction of the amount of the penalty and no further proceedings under Part 6 of the Act will be taken against you in respect of the contravention. A person who pays an Administrative Penalty may not be charged under the Act with an offence in respect of those contraventions.

This sum of **\$1000.00** is payable to the Real Estate Council of Alberta within thirty (30) days of the date of issuance of this Notice of Administrative

Penalty. If you fail to pay the amount set out in this notice, the Executive Director may commence legal action against you to recover the amount owing in respect of the Administrative Penalty as a debt due to the Real Estate Council of Alberta.

If you dispute this Notice of Administrative Penalty, in accordance with section 35 of the Bylaws, you may appeal it to a Hearing Panel. You will be given a full opportunity consistent with procedural fairness and natural justice to present evidence before the Hearing Panel and make representations in relation to the contravention.

If you have any questions in regard to this Notice of Administrative Penalty, please contact Susan Cavanagh, Case Officer at the Real Estate Council of Alberta 1-888-425-2754.

DATED this 8th day of November, 2004.

REAL ESTATE COUNCIL OF ALBERTA

Per: "Bob Myroniuk"
Bob Myroniuk
Executive Director

cc. F.G. , Broker, RE/MAX Excellence